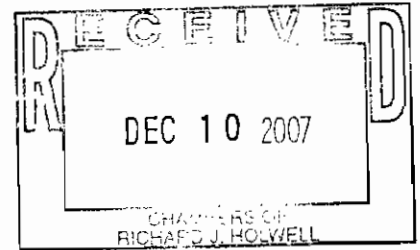


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
COFFEE AMERICA (USA) CORP.,

Plaintiff,

-against-

VOLUNTARY DISMISSAL

MSC "POH LIN", her engines, boilers, etc.,

07 CIV 8602 (RJH)

-and-

MEDITERRANEAN SHIPPING COMPANY, S.A.,

Defendant.
-----X

USDC SDNY
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DATE FILED: 12/12/07

The above-entitled action having been settled in the amount of \$15,000.00 and their having been no appearance on behalf of defendant. NOW

On the annexed consent and on motion of McDERMOTT & RADZIK, LLP., attorneys for plaintiff, it is Stipulated,

That this action be and the same is hereby voluntarily discontinued, with prejudice without costs to any party as against any other party, without prejudice to reopen if funds are not received within 60 days from the date of this Order and pursuant to F.R.C.P. 41(a)(1).

Dated: New York, New York
December 6, 2007

SO ORDERED:

U.S.D.J.

CONSENT:

Consent is hereby given to the entry of the foregoing Order.

Dated: New York, New York
December 6, 2007

McDERMOTT & RADZIK, LLP
Attorneys for Plaintiff

By: 

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